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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R.

To amend the Public Health Service Act to authorize the Secretary of Health and Human Services to award grants, contracts, or cooperative agreements to schools and school-based health centers to increase the number of mental health and substance use disorder care providers in such schools and health centers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. CASTOR of Florida introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Public Health Service Act to authorize the Secretary of Health and Human Services to award grants, contracts, or cooperative agreements to schools and school-based health centers to increase the number of mental health and substance use disorder care providers in such schools and health centers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Advancing Student
3 Services In Schools Today Act” or the “ASSIST Act”.

4 **SEC. 2. PROGRAM TO INCREASE MENTAL HEALTH AND**
5 **SUBSTANCE USE DISORDER CARE PRO-**
6 **VIDERS IN SCHOOLS AND SCHOOL-BASED**
7 **HEALTH CENTERS.**

8 Subpart I of part D of title III of the Public Health
9 Service Act (42 U.S.C. 254b et seq.) is amended by adding
10 at the end the following:

11 **“SEC. 3300. PROGRAM TO INCREASE MENTAL HEALTH AND**
12 **SUBSTANCE USE DISORDER CARE PRO-**
13 **VIDERS IN SCHOOLS AND SCHOOL-BASED**
14 **HEALTH CENTERS.**

15 “(a) IN GENERAL.—Not later than 3 months after
16 the date of enactment of this section, the Secretary, in
17 consultation with the Secretary of Education, shall award
18 grants, contracts, or cooperative agreements to eligible en-
19 tities to increase the number of mental health and sub-
20 stance use disorder care providers in schools and health
21 centers served by such entities.

22 “(b) APPLICATION.—An eligible entity seeking an
23 award under this section shall submit an application to
24 the Secretary at such time, in such manner, and con-
25 taining such information as the Secretary may require, in-
26 cluding a description of—

1 “(1) the mental health and substance use dis-
2 order needs of the student population served by the
3 eligible entity; and

4 “(2) with respect to the student population
5 served by the eligible entity, how the eligible entity
6 will ensure that the mental health and substance use
7 disorder care providers supported by the eligible en-
8 tity, and the services administered by such pro-
9 viders, are culturally competent and linguistically
10 appropriate.

11 “(c) RESTRICTION.—No funds made available
12 through an award under this section may be used for a
13 threat assessment team.

14 “(d) REPORTING.—

15 “(1) ELIGIBLE ENTITY REPORTING.—Eligible
16 entities receiving an award under this section shall
17 submit an annual report to the Secretary accom-
18 panied by such information as the Secretary may re-
19 quire, including—

20 “(A) the number of mental health and sub-
21 stance use disorder care providers working at
22 the schools or health centers served by the eligi-
23 ble entity, and the number of such providers
24 supported through the award;

1 “(B) the types of services provided by the
2 mental health and substance use disorder care
3 providers and the efficacy of such services;

4 “(C) the practices used by the schools or
5 health centers served by the eligible entity to
6 recruit and retain mental health and substance
7 use disorder care providers; and

8 “(D) the rates of retention of mental
9 health and substance use disorder care pro-
10 viders at the school or health center.

11 “(2) SECRETARY.—Not later than 18 months
12 after the date of enactment of this section, and an-
13 nually thereafter, the Secretary shall submit to Con-
14 gress a report on the effectiveness of the awards
15 under this section.

16 “(e) DEFINITIONS.—In this section:

17 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
18 tity’ means—

19 “(A) a local educational agency, as defined
20 in section 8101 of the Elementary and Sec-
21 ondary Education Act of 1965;

22 “(B) an institution of higher education, as
23 defined in section 101 of the Higher Education
24 Act of 1965;

1 “(C) a school operated by the Bureau of
2 Indian Affairs; or

3 “(D) a school-based health center, as de-
4 fined in section 399Z–1(a)(3).

5 “(2) MENTAL HEALTH AND SUBSTANCE USE
6 DISORDER CARE PROVIDER.—The term ‘mental
7 health and substance use disorder care provider’
8 means an individual who is licensed or credentialed
9 to provide mental health and substance use disorder
10 services, including—

11 “(A) a school counselor;

12 “(B) a school psychologist or any other
13 psychologist;

14 “(C) a psychiatrist who specializes in child
15 or adolescent psychiatry;

16 “(D) a school social worker;

17 “(E) a peer support specialist or peer re-
18 covery coach; and

19 “(F) other providers, as the Secretary de-
20 termines appropriate.”.

21 **SEC. 3. INCREASING THE APPLICABLE FMAP FOR STATE**
22 **EXPENDITURES ATTRIBUTABLE TO CERTAIN**
23 **BEHAVIORAL HEALTH SERVICES.**

24 Section 1905 of the Social Security Act (42 U.S.C.
25 1396d) is amended—

1 (1) in subsection (b), by striking “and (ii)” and
2 inserting “(ii), and (jj)”;

3 (2) by adding at the end the following new sub-
4 section:

5 “(jj)(1) Notwithstanding any preceding provision of
6 this section, with respect to State expenditures for medical
7 assistance consisting of services provided by a mental
8 health and substance use disorder care provider (as de-
9 fined in section 3300(e) of the Public Health Service Act)
10 and furnished at a school or at a school-based health cen-
11 ter (as defined in section 399Z-1(a)(3) of such Act) on
12 or after the first day of the first calendar quarter begin-
13 ning on or after the date that is 3 months after the date
14 of the enactment of this subsection, the Federal medical
15 assistance percentage otherwise determined under sub-
16 section (b) shall, subject to paragraph (2), be equal to 90
17 percent.

18 “(2) Paragraph (1) shall not apply in the case of
19 State expenditures described in such paragraph if applica-
20 tion of such paragraph would result in a lower Federal
21 medical assistance percentage for such expenditures than
22 would otherwise apply without application of such para-
23 graph.”.